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AUG 15 2008

OFFICE OF PETITIONS

In re Patent No. 7,058,676 :
Issue Date: June 6, 2006 :
Application No. 09/972,994 :
Filed: October 10, 2001 :
Attorney Docket Number: 1807.1874 :

ON PETITION

This is a decision on the petition, filed February 21, 2008, requesting the issuance of a duplicate Letters Patent for the above-identified application.

The petition is **GRANTED**.

Petitioner states that the original Letters Patent was never received.

The required showing to establish non-receipt of an Office communication must include a statement from the practitioner stating that the Office communication (in this case, the original Letters Patent) was not received by the practitioner and attesting to the fact that a search of the file jacket and docket records indicates that the Letters Patent was not received. A copy of the docket record where the non-received Letters Patent would have been entered had it been received and docketed must be attached to and referenced in practitioner's statement. See MPEP § 711.03(c) and 1156 Official Gazette 53 (November 16, 1993).

The petition is accompanied by the evidence required to establish non-receipt of the original Letters patent. Accordingly, the Office of Data Management is directed to issue a duplicate Letters Patent.

Telephone inquiries concerning this decision may be directed to the undersigned Senior Petitions Attorney at (571) 272-3212. Inquiries regarding the issuance of a duplicate Letters Patent may be directed to the Office of Data Management at (703) 308-9250.

Patricia Faison-Ball
Senior Petitions Attorney
Office of Petitions

cc: Niomi Farmer (Fax – (571) 270-9753)